

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED  
4th Cir. Velle  
NOV 29 2005  
JOHN F. CORCORAN, CLERK  
BY: J. Parakee  
DEPUTY CLERK

CONNIE McPEAK, ET. AL.,

*Plaintiffs,*

v.

E & C ENTERPRISES, ET. AL.,

*Defendants.*

CIVIL ACTION No. 3:05-CV-00029

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on Defendant Crown Central Petroleum Corporation's ("Crown Central") Motion to Dismiss contained in its answer and Plaintiffs' motion to voluntarily dismiss Crown Central, filed on November 2, 2005. The Court referred Crown Central's Motion to Magistrate Judge B. Waugh Crigler on October 25, 2005. Per Judge Crigler's Report and Recommendation, and there being no objection filed, it is hereby

ORDERED

that Plaintiffs' motion to voluntarily dismiss Crown Central and Crown Central's motion to dismiss be GRANTED without prejudice.

It is so ordered.

The Clerk of the Court is directed to send a copy of this Order to all parties.

ENTERED:

Norman K. Moon  
U.S. District Judge

November 29, 2005